

Village of Sister Bay Code of Ordinances

Chapter 22

Fire Prevention and Protection

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Note that Ordinance 156-111009 in general renumbered the chapter.

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Sec. 22.100 Purpose.

Sec. 22.205 Fire and Explosive Hazards.

1 FIRE PREVENTION AND PROTECTION

2 *Cross references: Any ordinance regarding the lo-
3 cation of fire hydrants saved from repeal, § 1-10(a)
4 (14); buildings and building regulations, Chapter 14;
5 automatic fire sprinkler system, § 14-61 et seq.

6 State law references: Authority generally, Wis. Stats.
7 §§ 61.34(1), 101.14.

8 Sec. 22.100 Purpose.

9 The purpose of this chapter is to provide for fire in-
10 spections and prevention, detection and suppres-
11 sion of hazards of fire and explosion in the village
12 pursuant to Wis. Stats. § 101.14 and to adopt fire
13 safety regulations contained in the Wisconsin Ad-
14 ministrative Code, all in order to provide for the
15 health, safety and welfare of village residents.

16 Sec. 22.110 Definitions.

17 (a) The definitions set forth in Wis. Stats. § 101.01
18 are adopted by reference.

19 (b) The term "Fire Chief," as used in this chapter,
20 means the chief of the Sister Bay Liberty
21 Gove Fire Department. (Amended Ordinance
22 No. 156-111009)

23 (c) Engineered Lumber shall mean prefabricat-
24 ed Trusses, I-joists, truss joists, truss rafters,
25 and laminated beams and studs. (Amended
26 Ordinance No. 156-111009)

27 (d) Structurally Insulated Panels (SIP) shall mean
28 any type of building material with foam insu-
29 lation fully or partially contained between
30 wood or wood composite materials.
31 (Amended Ordinance No. 156-111009)

32 (e) Structure shall mean primary, secondary and
33 accessory structures as defined in the Zoning
34 Code. (Amended Ordinance No. 156-
35 111009)

36 Cross references: Definitions generally, § 1.2.

37 Sec. 22.200 Adoption of fire safety 38 regulations.

39 (a) Wisconsin State Statutes § 101.14 and the fol-
40 lowing chapters of the Wisconsin Adminis-
41 trative Code, Department of Commerce are
42 adopted and incorporated by reference as if
43 fully set forth herein: Comm. Chapter 7, Ex-
44 plosive Materials; Comm. Chapter 10,
45 Flammable and Combustible Liquids;
46 Comm. Chapter 40, Gas systems; Comm.
47 Chapter 14, Fire Prevention; Comm. Chapter
48 15, Cleaning and Dyeing; Comm. Chapters
49 50--64, Building and Heating, Ventilating
50 and Air Conditioning Code and Wisconsin

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54 (b)

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State Statutes § 167.10 Regulation of Fire-
works. (Amended Ordinance No. 151-
60909)

(b) Marking structures with engineered com-
ponents. (Amended Ordinance No. 156-
111009)

(1) All structures (commercial and resi-
dential) constructed with any or all
of the above specified material(s) af-
ter the effective date of this ordi-
nance must have a reflective symbol
affixed to each electrical meter serv-
ing the structure.

(2) All commercial structures con-
structed with any or all of the above
specified material(s) prior the effec-
tive date of this ordinance must
have a reflective symbol affixed to
each electrical meter serving the
structure.

(3) The owner of any residential struc-
ture that was constructed with the
above mentioned products prior to
the effective date of this ordinance
is requested to place the reflective
symbol on the electrical meter serv-
ing the structure on a voluntary ba-
sis.

(4) All commercial structures con-
structed with any or all of the above
specified material(s) must have a
secondary reflective symbol affixed
to the structure at the eve height on
the corner to the left (when facing
the building) of the address side of
the building.

(5) The reflective symbol shall be in the
form of a sticker placed on the elec-
trical meter and a secondary sticker
for commercial occupancies placed
on a stainless steel plate. All build-
ing identification and placements of
stickers shall be performed by the
Sister Bay & Liberty Grove Fire De-
partment.

(6) Any person violating this ordinance
by refusing to use the reflective
symbol(s) or by removing or damag-
ing the reflective symbol(s) shall be
subject to penalties in Section
22.501.

102 Sec. 22.205 Fire and Explosive Hazards.

103 (Amended Ordinance No. 151-060909)

104 (a) All activities involving the utilization, pro-
105 cessing, or storage of flammable or explo-

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Sec. 22.400 Fire department inspections.

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sive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate fire fighting and fire-suppression equipment and devices that are standard in the industry and approved by the Sister Bay Liberty Grove Fire Chief or designee.

(b) All materials that range from active to intense burning shall be utilized, processed or stored only within completely enclosed buildings, which have incombustible exterior walls and an automatic fire extinguishing systems as required by Section §14.61. Storage of flammable and explosive material, except as prohibited by subsection (c), shall be in accordance with the requirement of chapter COMM. 10 of the Wisconsin Administrative Code and the requirements of chapter NFPA 30 of the National Fire Protection Association.

(c) Notwithstanding the requirements of subsection (b) the storage or sale of fireworks as regulated by Wisconsin State Statutes Section §167.10 shall not be permitted in the B-1, B-2 or B-3 zoning districts except as listed below:

(d) An agent of the Village of Sister Bay with the appropriate Village issued permit for a fireworks display done in conjunction with a Village festival or Village event may store fireworks for not more than 96 hours consistent with the storage requirements in §167.10.

Sec. 22.400 Fire department inspections.

(a) The Chief of the Fire Department shall, as often as may be necessary, but as a minimum in accordance with Wis. Stats. § 101.14 provide for the inspection of every public building and place of employment in the village to determine and cause to be eliminated any hazard of fire or explosion or any violation of any law relating to such hazards or to the prevention of fires.

(b) Written reports of inspection shall be made and kept on file in the office of the Fire Chief in the manner and form required by the state department of commerce.

(c) No person shall deny the Fire Chief or the Chief's Deputies free access to any public property or place of employment within the village at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct the Fire Chief or his deputies in the performance of their duties

or refuse to observe any lawful direction given by them.

(d) The Fire Chief may obtain a search warrant under Wis. Stats. § 66.0119 when necessary, for the purpose of making an inspection or investigation of any public building or premises or place of employment where the owner or occupant has refused the Fire Chief or the chief's deputies admission. No person, having been advised of the existence of a search warrant to search the premises owned or occupied by him, shall refuse to permit such search to be made.

Sec. 22.405 Charge for false alarm responses caused by unattended electronic alarm system.

(a) For the purpose of funding fire protection pursuant to Wis. Stats. § 61.34, property owners utilizing electronic fire alarm devices shall be charged as follows for false alarm fire calls attributable to such devices:

- (1) First occurrence in a calendar year: No charge.
- (2) Each occurrence thereafter in the same calendar year: \$250.00 per occurrence payable 30 days from the date billed.

(b) This charge shall be billed to such property owner and collected by the Sister Bay and Liberty Grove Fire Board and used to offset expenses of providing fire protection.

(c) Failure of a property owner to pay such charge within 30 days shall result in the placement of such unpaid bill on the respective property listing on the village tax roll for collection through the property tax collection process.

Sec. 22.500 Notice of violations/order for elimination.

(a) Following the inspections made pursuant to section 22.400, the Fire Chief shall provide written notices to the owners of buildings inspected of any violations of law, including violations of the Wisconsin Administrative Code, relating to hazards of fire or explosion or the prevention of fires and shall order such hazards or other violations to be removed or corrected.

(b) The owners of such buildings shall cause the violations to be eliminated or corrected as designated by the Fire Chief within the time set forth by the Fire Chief.

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(c) The service of written orders for the correction of such violations shall be made upon the owner either by delivering a copy of the written orders to the owner or any person in charge of the premises, or by mailing such orders to the owner by certified mail, return receipt requested. This subsection shall in no manner preclude the Fire Chief from issuing oral orders in such manner as deemed appropriate under the circumstances.

Sec. 22.501 Penalties.

- (a) Any person who fails to correct the fire hazard complained of by the Fire Chief, within the period of time set forth by the Fire Chief, in violation of this Chapter, may be required to forfeit not less than \$100.00, nor more than \$500.00.
- (b) A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
- (c) Each hazard listed in the order for elimination or correction shall constitute a separate violation.

Sec. 22.503 Enforcement.

- (a) This chapter may be enforced by the issuance of a citation to any violator of this chapter by the Fire Chief, by any sheriff, or deputy sheriff of the county, by any state officer with police powers or any other duly appointed law enforcement officer of the village.
- (b) In the alternative, any forfeitures imposed by this chapter may be sued for and recovered pursuant to Wis. Stats. Chapter 778 in the name of the village.
- (c) In addition to any enforcement by forfeiture action, the village may obtain injunctive relief to prevent, enjoin, abate or remove the violation and may take such other action as is necessary to abate, correct or remove any violations.

Sec. 22.505 Costs of abatement, removal or correction.

- (a) Any and all costs incurred by the Village or the Sister Bay Liberty Grove Fire Department in the performance of the abatement, removal or correction of any fire hazards constituting a violation of this chapter, including costs of injunctive relief, shall be charged to the owners, occupant, person in control of or person responsible for such violation. (Amended Ordinance No. 156-111009)

- (b) In case of a failure to pay these costs, a statement of such costs shall be filed with the clerk-treasurer, and any and all costs thereof shall be charged against the real estate upon which the violation was located, shall be a lien upon the real estate, and shall be assessed and collected as a special tax.

Sec. 22.510 Emergency authority of Fire Chief.

In circumstances where, in the opinion of the Fire Chief, the violations of fire safety codes or the hazards of fire or explosion present a situation so dangerous as to be an immediate threat of damage or injury to any property or any person's life, safety or health, the Fire Chief may cause the immediate abatement, removal or correction of the violation, including orally ordering an immediate vacation of the building, structure or premises which are threatened of those persons present on the premises.